

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

RYAN DIAZ et al.,

Plaintiffs,

v.

NINTENDO OF AMERICA INC.,

Defendant.

No. 2:19-cv-01116-TSZ

JOINT STATUS REPORT

The Court previously granted Defendant Nintendo of America Inc.’s Motion to Compel Arbitration and stayed this action pending the outcome of arbitration. ECF 36. In response to a joint status report the parties filed on December 30, 2021, the Court ordered the parties to file a joint status report within 14 days of the completion of arbitration or by July 1, 2022, whichever occurred earlier. *See* ECF (Jan. 4, 2022).

Some of the Plaintiffs have initiated individual arbitrations with the American Arbitration Association (“AAA”), and those arbitrations remain pending. The arbitrations are proceeding pursuant to the AAA’s schedule and the parties’ needs. The parties are satisfied with the progress of the arbitrations and with the parties’ cooperation to date. Unless the Court orders otherwise, the parties will file a joint status report upon the completion of arbitration or by December 31, 2022, whichever occurs earlier.

1 Dated: July 1, 2022

By: s/ Eric J. Weiss

2 David J. Burman, WSBA No. 10611
3 Eric J. Weiss, WSBA No. 44807
4 Mallory Gitt Webster, WSBA No. 50025
5 Cara Wallace, WSBA No. 50111
6 Madeline D. Swan, WSBA No. 56355

7 **Perkins Coie LLP**

8 1201 Third Avenue, Suite 4900

9 Seattle, WA 98101-3099

10 Phone: 206.359.8000

11 Fax: 206.359.9000

12 Email: DBurman@perkinscoie.com

13 Email: EWeiss@perkinscoie.com

14 Email: MWebster@perkinscoie.com

15 Email: CWallace@perkinscoie.com

16 Email: MSwan@perkinscoie.com

17 *Attorneys for Nintendo of America Inc.*

By: s/ Benjamin F. Johns (with permission)

Kim D. Stephens, WSBA No. 11984
Jason T. Dennett, WSBA No. 30686
Kaleigh N.B. Powell, WSBA No. 52684

TOUSLEY BRAIN STEPHENS PLLC
1700 Seventh Avenue, Suite 2200
Seattle, Washington 98101
Phone: 206.682.5600
Fax: 206.682.2992
Email: kstephens@tousley.com
Email: jdennett@tousley.com
Email: kpowell@tousley.com

Benjamin F. Johns (*pro hac vice*)
Samantha E. Holbrook (*pro hac vice*)
Alex M. Kashurba (*pro hac vice*)

**CHIMICLES SCHWARTZ KRINER
& DONALDSON-SMITH LLP**
361 W. Lancaster Avenue
Haverford, Pennsylvania 19041
Phone: (610) 642-8500
Fax: 610.649.3633
Email: bfj@chimicles.com
Email: seh@chimicles.com
Email: amk@chimicles.com

Attorneys for Plaintiffs